

Application No.: 09/864,128
Reply to Office Action Dated: November 4, 2004

Atty. Docket: 1320-62 (NL 000279)

REMARKS

This application has been reviewed in light of the Final Office Action mailed on November 4, 2004. Claims 1-13 are pending in the application with Claims 1, 7 and 13 being in independent form. By the present amendment, Claims 1, 7 and 13 have been amended. No new matter or issues are believed to be introduced by the amendments.

I. Rejection of Claims 1-13 Under 35 U.S.C. §112, first paragraph

Claims 1-13 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant's independent Claims 1, 7 and 13 have been amended in an effort to comply with the written description requirement.

Amended Claim 1 recites:

A method for providing and processing a cursored user interaction with a spatially displayed medical image and performing image processing on said medical image, wherein said method comprises the steps of:

providing a menu-less graphical interface having a plurality of sensitive areas, each sensitive area is positioned at a predetermined, fixed relative position with respect to an associated medical image display field and with respect to at least one additional sensitive area, wherein each of the plurality of sensitive areas is associated with one of a plurality of different cursors; and controlling a mouse configured such that positionings of said mouse within each of said plurality of sensitive areas causes display of one of the plurality of different cursors and allows activation and control of a plurality of processing functionalities respectively associated with each of said plurality of sensitive areas." (Emphasis added).

Claims 7 and 13 recite the same limitations as the limitations added to Claim 1.

Applicant's written description at page 16, lines 24-26, with reference to Figure 2 states: "All sensitive areas except one lie at the edges of the image field. The latter, 20,

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controls image panning but does effectively not obscure the user image.” (Emphasis added) At page 3, lines 22-24 the written description states: “Sensitive areas are supported through various visual cues in the form of graphics overlays and cursor shapes. Graphics overlays indicate where the sensitive areas are and the cursor shape will reflect the nature of the sensitive area under the cursor.” Accordingly, the written description clearly provides that each sensitive area lies at a predetermined, fixed relative position with respect to the image field, as recited by Applicant’s independent Claims 1, 7 and 13. The written description does not disclose or suggest that the sensitive areas change positions with respect to the image field and this feature should not be read into Applicant’s written description. The written description also clearly provides that since each sensitive area lies at a predetermined, fixed relative position, then, it logically follows, that each sensitive area is positioned at a predetermined, fixed relative position with respect to at least one additional sensitive area, as recited by Applicant’s independent Claims 1, 7 and 13.

Further still, Figure 2 illustrates the menu-less graphical interface as having a plurality of sensitive areas, where each sensitive area is positioned at a predetermined, fixed relative position with respect to an associated medical image display field and with respect to at least one additional sensitive area, as recited by Applicant’s independent Claims 1, 7 and 13. Hence, it is believed that amended Claims 1, 7 and 13 comply with the written description requirement. Accordingly, withdrawal of the rejection with

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respect to Claims 1, 7 and 13 under 35 U.S.C. §112, first paragraph, and allowance thereof are respectfully requested.


Claims 2-6 and 8-12 depend from Claims 1 and 7, respectively, and therefore include the limitations of Claims 1 and 7. Accordingly, for the same reasons given for Claims 1 and 7, Claims 2-6 and 8-12 are believed to contain patentable subject matter. Accordingly, withdrawal of the rejection under 35 U.S.C. §112, first paragraph, with respect to Claims 2-6 and 8-12 and allowance thereof are respectfully requested.

II. Conclusions

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-13, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call John Vodopia, Esq., Intellectual Property Counsel, at 914-333-9627.

Respectfully submitted,


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